

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

ANGELA COVE

Debtor

Chapter 13
Case No. 17-43007-ESS

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APPLICATION TO AMEND THE ORDER

HONORABLE ELIZABETH S STONG
UNITED STATES BANKRUPTCY JUDGE

Edward J. Waters, an attorney with E. Waters & Associates, P.C., attorneys for Debtor Angela Cove (hereinafter the “Debtor”) respectfully applies to the Court for an Order amending the Court’s prior Order dated November 30, 2018 granting Debtor’s Application for Approving Loan Modification (Docket No. 45) to reflect the correct amount for the Chapter 13 Trustee Marianne DeRosa to release to Caliber Home Loan to bring the loan current. The attorney states the following in support of its application:

On November 30, 2018, Honorable Elizabeth S Strong signed an order directing “that the Chapter 13 Trustee Marianne DeRosa (the “Trustee”) shall disburse funds in the amount of \$12,814.44 (equivalent to \$2,135.74 x 6 months under the Modification Agreement) by check payable to Caliber Home Loan Services, Inc., Attn: Loss Mitigation Modification, 13801 Wireless Way, Oklahoma City, OK 73134, delivered by regular mail.” (Docket No. 45).

On December 19, 2018, the counsel for Caliber Home Loans advised that the amount needed to bring the loan current through and including 12/01/2018 is \$8,542.96 (\$2,135.74 x 4 months = \$8,542.96). (Email from Caliber Home Loans’ Counsel is Enclosed with this Application).

WHEREFORE, the undersigned respectfully requests the Court to amend the prior Order dated November 30, 2018 to reflect the correct amount for the Chapter 13 Trustee to

release to Caliber Home Loan to bring the loan current, and for such further relief as this Court deems just.

Date: December 19, 2018

/s/ Edward J. Waters

Edward J. Waters, Esq.
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rashmi@pitchayanlaw.com

From: Carrie Altenburg <CAaltenburg@cohnroth.com>
Sent: Wednesday, December 19, 2018 10:52 AM
To: rashmi@pitchayanlaw.com
Cc: 'Nathan Kaufman'; 'Cathy Wilson'; Bankruptcy
Subject: RE: Angela Cove - Chapter 13 Case No. 17- 43007-ESS - Proposed Amended Order

COVE, SR
Loan No.: 9804254598
Case No.: 17-43007-ess

Hi Rashmi. Good morning. I have been advised by Caliber that the amount needed to bring this loan current through and including 12/01/2018 is \$8,542.96 (\$2,135.74 x 4 months = \$8,542.96). Thanks.

Carrie Altenburg
Bankruptcy Paralegal
Cohn & Roth, LLC
100 East Old Country Road
Mineola, New York 11501
Phone: 516-747-3030
Email: caltenburg@cohnroth.com

From: rashmi@pitchayanlaw.com [mailto:rashmi@pitchayanlaw.com]
Sent: Tuesday, December 18, 2018 11:30 AM
To: Suzanne Caba <SCaba@cohnroth.com>
Cc: 'Nathan Kaufman' <nathank@ch13mdr.com>; 'Cathy Wilson' <cathyw@ch13mdr.com>; Carrie Altenburg <CAaltenburg@cohnroth.com>
Subject: FW: Angela Cove - Chapter 13 Case No. 17- 43007-ESS - Proposed Amended Order

Good Morning,

Louis Greco was handling this matter. Could you please advise us regarding the email correspondence below?

Thanks.

Rashmi.

Rashmi Attri, Esq.
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

IN RE:

Chapter 13
Case No. 17-43007

ANGELA COVE

Debtor(s)

**PROPOSED AMENDED ORDER GRANTING DEBTOR'S
APPLICATION FOR APPROVING LOAN MODIFICATION**

Upon the motion of the above Debtor, Angela Cove (the "Debtor"), by notice of presentment dated October 22, 2018, seeking an Order to Approve Loan Modification between Debtor and Creditor Caliber Home Loan; and, after due and sufficient notice, good cause having been shown and no adverse interest being represented, it is hereby

ORDERED, that the Motion is granted, and Debtor may enter into the Loan Modification with Caliber Home Loan attached as Exhibit A hereto (the "Modification Agreement"); and it is further

ORDERED, that the Chapter 13 Trustee Marianne DeRosa (the "Trustee") shall disburse funds in the amount of \$8,542.96 (\$2,135.74 x 4 months = \$8,542.96) by check payable to Caliber Home Loan Services, Inc., Attn: Loss Mitigation Modification, 13801 Wireless Way, Oklahoma City, OK 73134, delivered by regular mail; and it is further

ORDERED, that the Trustee shall not make any further payments on account of pre-petition arrearage on the claim filed by U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust c/o Caliber Home Loans, Inc. on October 3, 2017 in the total amount of \$442,340.52, reflected as Claim No. 7 on the PACER Claims Register.

DATED: _____

HONORABLE ELIZABETH S. STONG,
U.S. BANKRUPTCY JUDGE